

Amendment No. 1 to SB9013

Crowe
Signature of Sponsor

AMEND Senate Bill No. 9013

House Bill No. 9076*

by deleting all language after the enacting clause and substituting instead:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 2, Part 6, is amended by adding the following as a new section:

Notwithstanding any law to the contrary:

(1) Upon declaration of a pandemic and until such pandemic ceases to exist, and for the purposes of effectively mitigating the impact of the pandemic, the governor has exclusive jurisdiction to issue executive orders and directives with respect to each county health department in this state, including a county health department created by private or public act prior to July 1, 1985, or by action of a county legislative body; and

(2) The commissioner of health and a local health department, board, entity, or official shall not supersede, vacate, contradict, or refuse to comply with such executive order or directive of the governor issued pursuant to subdivision (1).

SECTION 2. Section 4 of Chapter 550 of the Public Acts of 2021, as codified in Tennessee Code Annotated, Section 68-2-609, is amended by deleting subdivision (4).

SECTION 3. Tennessee Code Annotated, Section 68-2-603(a), is amended by deleting subdivision (6) and substituting instead:

(6) When the commissioner appoints a county health director pursuant to this subsection (a), the appointment shall be made in writing by the commissioner in concurrence with the county mayor of the county for which the appointment is made.

The mayor shall submit a slate of not more than three (3) nominees to the commissioner for consideration within ten (10) days of a request for nominees by the commissioner. The commissioner may appoint a health director from the list of nominees or request additional nominees.

SECTION 4. Tennessee Code Annotated, Section 68-2-601(i), is amended by deleting the subsection and substituting instead the following:

A county health department or board of health of a county in existence prior to July 1, 1985, remains in existence after the effective date of this act. The regulations of such departments and boards remain in full force in effect to the extent such regulations do not conflict with Section 1 of this act.

SECTION 5. Tennessee Code Annotated, Section 68-2-601, is amended by designating subsection (f) as subdivision (f)(2) and adding the following new subdivision (f)(1):

(1) Except as provided in Section 1 of this act, under advisement of the county board of health under subdivisions (f)(2)(B) and (C), the county mayor has the power to issue orders as are necessary or appropriate to protect the general health and safety of county residents.

SECTION 6. Tennessee Code Annotated, Section 68-2-609(1), is amended deleting the subdivision and substituting:

(1) Except as provided in Section 1 of this act, the quarantine of any place or person, if the county health officer finds that quarantine is necessary to protect the public health from an epidemic;

SECTION 7. This act takes effect upon becoming a law, the public welfare requiring it.